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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,362	10/26/2001	William J. Young	SMQ-047/P5187	9812
959	7590	05/19/2004	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			MIZRAHI, DIANE D	
			ART UNIT	PAPER NUMBER
			2175	2

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/039,362

Applicant(s)

YOUNG ET AL.

Examiner

DIANE D. MIZRAHI

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

DIANE D. MIZRAHI
PRIMARY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

III. Detailed Action.

Claims 1-19 are present for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by E. Kenneth Nwabueze (U.S. Patent# 6,611,839 B1 and Nwabueze hereinafter) .

Regarding Claims 1, 8, 12 and 16, Nwabueze teaches in an electronic device coupled to a network, a method, comprising the steps of: creating a temporary database (Figure 9, #250) for holding information from a source database (i.e. private company databases) (Figure 2, #102c); loading the temporary database with data originating from the original database (col 8, lines 30-51); using the temporary database to generate a report regarding the source database (i.e. dynamic reports in real-time (e.g., in web based formats), (col 4, lines 30-56); providing the report for access over the network (col 9, lines 10-40);

Regarding Claim 2, Nwabueze teaches wherein the network is the Internet (col 9, lines 10-40).

Regarding Claim 3, Nwabueze teaches wherein the report is an HTML document (col 9, lines 10-40).

Regarding Claim 4, Nwabueze teaches wherein the report is an XML document (col 9, lines 20-23).

Regarding Claim 5, Nwabueze teaches removing data from the temporary database after the report is generated (col 13, lines 51-67 to col 14, lines 1-14).

Regarding Claims 6 and 9, Nwabueze teaches removing the temporary database from the electronic device after the report is generated (col 13, lines 51-67 to col 14, lines 1-14) (see also col 14, lines 39-51).

Regarding Claims 7 and 11, Nwabueze teaches generating additional reports regarding the source database by using the temporary database (Col 13, lines 51-67 to col 14, lines 1-14).

Regarding Claim 17, Nwabueze teaches wherein the method further comprises the step of removing data from the temporary database after the report is generated (col 13, lines 51-67 to col 14, lines 1-14).

Regarding Claims 10 and 18, Nwabueze teaches wherein the method further comprises the step of removing the temporary database from the electronic device after the report is generated (col 13, lines 51-67 to col 14, lines 1-14) (see also col 14, lines 39-51).

Regarding Claim 13, Nwabueze teaches wherein the access module provides the reports in a format that is viewable by a client using a web browser (col 13, lines 51-67 to col 14, lines 1-14).

Regarding Claim 14, Nwabueze teaches an interface for interfacing the system with the network (col 9, lines 11-39).

Regarding Claims 15 and 19, Nwabueze teaches wherein the network is the Internet (col 9, lines 10-40).

Other Prior Art Made of Record

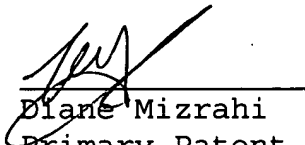
The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diane D. Mizrahi whose telephone number is (703) 305-3806. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (703) 305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-9000 for regular communications and (703) 305-9000 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9001.


Diane Mizrahi
Primary Patent Examiner
Technology Center 2100

May 15, 2004